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COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INTERNAL AFFAIRS BUREAU INVESTIGATIVE REPORT

DATE OF INCIDENT	FILE NO.
11-07-93	IAB006469

PERSONNEL INVOLVED

[redacted] Deputy
#[redacted]
Century Station
Field Operations Region II

REQUESTOR

WILLIAM A. BAKER, CHIEF
FIELD OPERATIONS REGION II

CHARACTER OF CASE

Non-Hit Officer Involved Shooting

LOCATION

[redacted] E. 63rd Street, Los Angeles 90001

REFERENCE	INVESTIGATOR
WILLIAM A. BAKER, CHIEF FIELD OPERATIONS REGION II	Sergeant Edward L Allen Internal Affairs Bureau

SYNOPSIS

On November 7, at approximately 1930 hours Deputies [redacted] and [redacted] assigned to unit [redacted] were contacted by two female juveniles who advised them of a shooting in progress in the [redacted] block of E. 63rd Street. During their attempt to locate the suspect or victims of the shooting, the suspect fired two shots and ran northbound, across 63rd Street. Several witnesses pointed to the suspect, and both deputies observed the suspect running with a handgun in his right hand. Deputy [redacted] began to chase the suspect on foot, followed by Deputy [redacted]

The suspect jumped the fence at [redacted] E. 63rd Street, and fired one shot at Deputy [redacted] The suspect continued to run northbound, along the west side of the house. Deputy [redacted] yelled to the suspect to stop and returned fire, discharging one round. The suspect ran through several backyards, and out of sight. The suspect was subsequently arrested and the gun recovered during a search of the contained area.

There were no injuries to Deputy [redacted] or the suspect.

SUBMITTED BY	REFERRED FOR RECOMMENDATION TO
BERT J. CUEVA, CAPTAIN INTERNAL AFFAIRS BUREAU	FIELD OPERATIONS REGION II

STATUS OF PERSONNEL INVOLVED

ON DUTY



COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

OFFICER INVOLVED NON - HIT SHOOTING EVALUATION

UNIT: [redacted]

DATE: 11-07-93

TIME: 1930 Hours

LOCATION: [redacted] E. 63rd Street

URN #: 493-08344-0172-055

IAB #: 006469

NATURE OF INCIDENT:

Deputies were contacted by two female juveniles who told them that someone was shooting on E. 63rd Street. Deputies respond to E. 63rd Street and observe numerous people in the street running. Citizens pointed out the suspect and the Deputies observed the suspect running with a gun in his right hand. Deputy [redacted] began to pursue the suspect on foot, and as the suspect jumped over a fence, the suspect fired one shot at Deputy [redacted] Deputy [redacted] fired one shot at the suspect, and the suspect continued to run through the yard and out of view. The suspect is subsequently arrested during a containment and search of the area.

COMPLETED BY: Sergeant Edward L. Allen **DATE:** 12-03-93

Internal Affairs Bureau

COUNTY OS ANGELES - SHERIFF'S DE TMENT
INCIDENT DATA

WHAT INITIATED INCIDENT

Call		Observation	X	Search Warrant		Arrest Warrant	

LOCATION OF OCCURRENCE

[redacted] E. 63rd Street

TYPE OF LOCATION

Residence		Business		Industrial		Parking Lot	
Street	X	Backyard	X	Freeway		Rural	
Other							

SHOOTING CONDITIONS

DATE	TIME	DAY
11-07-93	1930 Hours	Sunday

LIGHTING	WEATHER
Street lamps	Clear Dry Dark

DISTANCE

Approx. 30 feet

CONTRIBUTING FACTORS

None

LOS ANG[illegible]S COUNTY - SHERIFF'S D[illegible]RTMENT

CLASSIFICATION

ACCIDENTAL:	Not Applicable
GUN TAKE-AWAY:	Not Applicable
PERSON(S) ARMED:	Yes
PERSON(S) UNARMED:	Not Applicable
STARTLE:	Not Applicable
UNINTENTIONAL:	Not Applicable
DEPUTY IN UNIFORM:	[X] RAID JACKET: [ ] PLAIN CLOTHES: [ ]
VEST WORN:	Yes
FOOT PURSUIT:	Yes
VEHICLE PURSUIT:	Not Applicable
MOVING VEHICLE:	Not Applicable
VEHICLE STOP:	Not Applicable
TYPE OF HOLSTER:	Department Issue
GUN IN HOLSTER:	No
STRUGGLE INVOLVED:	No

ADDITIONAL FACTS AND INFORMATION:

None

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME
[redacted]

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	[redacted]

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
On Duty	[redacted]

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	Not Applicable

DESCRIPTION OF INJURIES
Not Applicable

WAS THE DEPUTY IMMEDIATELY REMOVED FROM THE SCENE? YES [ ] NO [X]

WAS THE DEPUTY SEQUESTERED PRIOR TO THE INTERVIEW? YES [ ] NO [X]

WHERE? Not Interviewed

SUPERVISED BY:

WEAPON USED

TYPE	AUTHORIZED
Beretta 9MM	Yes

AMMUNITION TYPE	AUTHORIZED
9MM	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	One	None

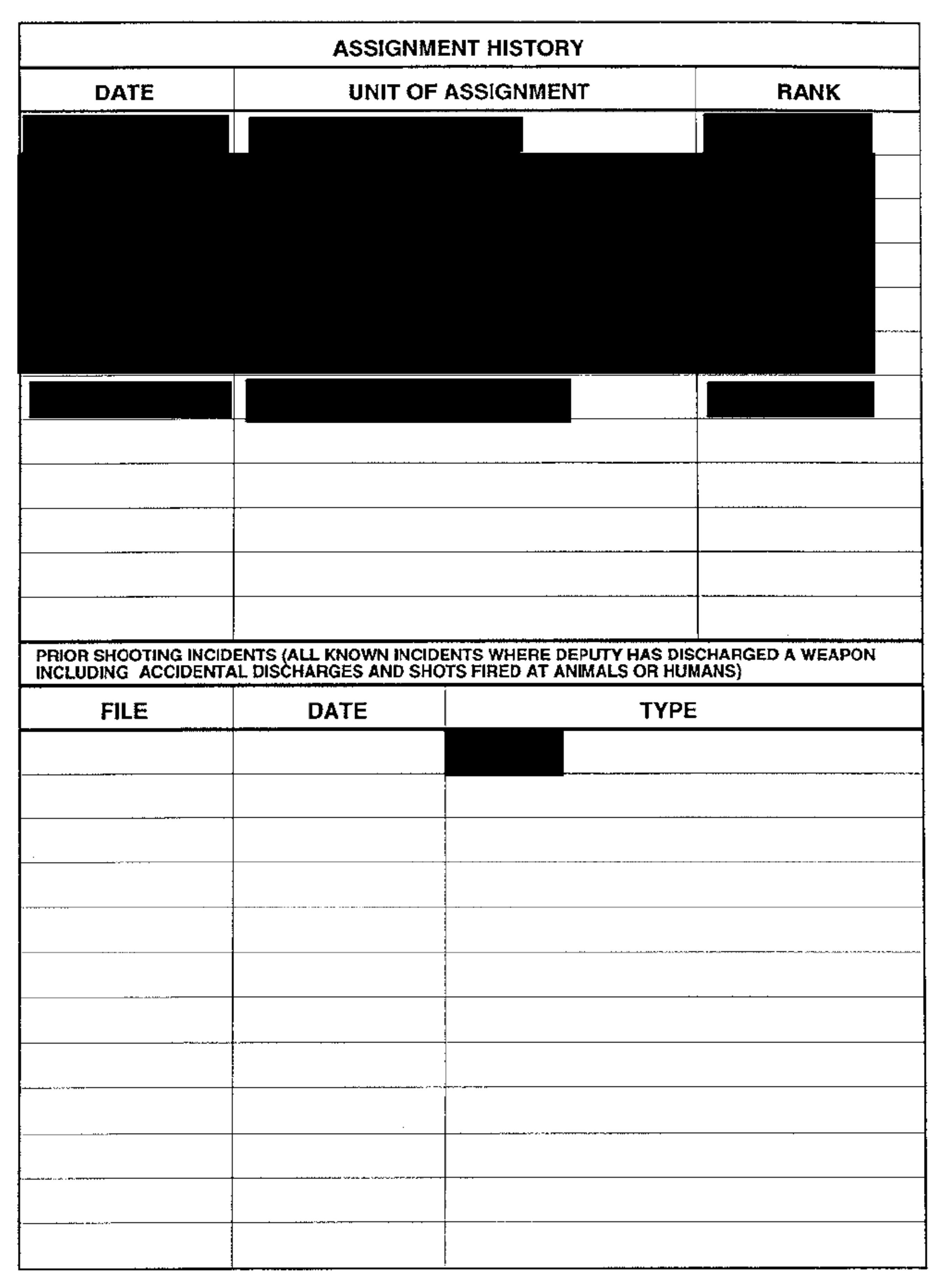
DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

DEPUTY INVOLVED
Continued



ASSIGNMENT HISTORY

DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]		
[redacted]	[redacted]	[redacted]

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
		[redacted]

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
Rivera	Polo	V.

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
M	Hisp.	5' 7"	140	12-18-74	18	No

INJURED	DESCRIPTION OF INJURIES
No	Not Applicable

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE
No

TYPE OF SUBSTANCE	LAB TEST CONDUCTED
Not Applicable	No

ARMED	TYPE OF WEAPON
Yes	Pistol, "Beretta", 22 Caliber, Semi-Automatic

NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
One	None

SUSPECT VEHICLE
None

CRIMINAL HISTORY (ATTACH COPY OF RAPS)
See Attached

SUMMARY OF INCIDENT
See Attached

INCIDENT SUMMARY

Deputies [redacted] # [redacted] and [redacted] # [redacted] assigned to the [redacted] were working unit [redacted] on the [redacted] shift, Sunday November 7, 1993. They were at the intersection of Gage Avenue and Holmes Avenue, assisting a California Highway Patrol unit regarding a traffic collision, when two female juveniles ran to them and stated, "They're shooting up there. They shot some people." The two females were pointing northbound on Holmes Avenue. The deputies looked in the direction the females were pointing and observed approximatley ten to fifteen people running, westbound, across Holmes Avenue. They heard approximately eight to ten gunshots being fired north of their location, and decided to respond and attempt to locate the source of the shooting.

Deputies [redacted] and [redacted] got into their patrol vehicle and drove, northbound toward E. 63rd Street, at the same time Deputy [redacted] requested assistance, via his radio, regarding a possible assault with a deadly weapon, just occurred, shots fired. Upon reaching E. 63rd Street and Holmes Avenue Deputies [redacted] and [redacted] observed more people running westbound across Holmes Avenue, and approximately fifty people in the street, in the [redacted] block of E. 63rd Street. They also heard approximately three or four gunshots fired, which appeared to come from the area east of their location in the [redacted] block of E. 63rd Street.

Deputy [redacted] continued to broadcast their observations, and after a discussion of the situation with each other, Deputies [redacted] and [redacted] decide to proceed, slowly eastbound, with the radio car doors open, in order to locate anyone who may have been injured. Deputy [redacted] stated that they decided on this procedure because they could hear the sirens of assisting units near their location, and they opened the doors of the radio car to provide a little more cover, to the front, if it became necessary to exit the vehicle.

Deputy [redacted] drove eastbound, as several people ran westbound passing them. They stopped and exited their vehicle in an attempt to get information to locate the source of the gun fire. However, they were unable to detain any of the individuals that were running. They observed two groups of approximately five individuals standing on the north and south sidewalks of E. 63rd Street. Deputy [redacted] described the two groups as appearing to have been involved in a fight. Deputies [redacted] and [redacted] decided to have both groups come to their radio car to investigate the incident. They stopped their radio car in front of [redacted] E. 63rd Street, got out and ordered the two groups of individuals to their radio car. As the individuals began to walk toward the radio car, Deputies [redacted] and [redacted] heard two shots fired behind them and several people yell, "there's the guy with the gun." Deputies [redacted] and [redacted] took cover at the front of their radio car, and observed a male Hispanic, dressed in a white T-shirt, and black pants run northbound from in front of a van that was parked in front of [redacted] E. 63rd Street, jump over the chain link fence, and run along the west side of the house.

Deputy [redacted] began to chase the suspect, later identified as Polo Vasquez Rivera. Upon reaching the west side of [redacted] E. 63rd Street, Deputy [redacted] observed Suspect Rivera near the northwest corner of the house and ordered him to stop stating, "Stop, let me see your hands." However, Suspect Rivera fired one round in the direction of Deputy [redacted] and Deputy [redacted] fired one round from his Department issued 9mm Beretta. No one was hit in

the exchange of gun fire, and Suspect Rivera ran from the location and out of view. Deputy [redacted] advised that shots had been fired and joined Deputy [redacted] at the rear of [redacted] E. 63rd Street. They conducted a search of the back yard which was negative. A containment area was set up, and a request for a K-9 unit to respond to conduct an area search for the suspect was made.

Deputies Kenneth Lawrence, #211223, [redacted], # [redacted] Special Enforcement Bureau K-9 units and Deputies Gerard Plent, # [redacted] and Gary Wilkerson, # [redacted] also from Special Enforcement Bureau responded to the location, and contacted Deputies [redacted] and [redacted] Deputies Jack Demello # [redacted] and Michael Hanneman, # [redacted] assigned to the Century Station, Firestone Facility joined the Special Enforcement Bureau deputies and conducted an area search for Suspect Rivera. Prior to beginning the search several taped K-9 announcements were made from the radio car public address system.

The search proceeded eastbound through the backyards from [redacted] E. 63rd Street. Upon reaching [redacted] E. 63rd Street the dog alerted on a garage. The door was opened to the garage and Suspect Rivera was located hiding under a table in the northwest corner, a loaded 22 caliber, semi automatic, blue steel handgun was laying on top of the table. Suspect Rivera was ordered from his hiding position and told to lay on the floor. Suspect Rivera complied and was taken into custody without incident. Suspect Rivera was identified by Deputies [redacted] and [redacted] as the person they saw with the gun and the person that shot at Deputy [redacted] The handgun, a Beretta 22 caliber, semi-automatic handgun, was recovered and booked as evidence.

Deputy [redacted] stated that the arrest team decided not to send the K-9 into the garage until they looked inside to see what type of articles were inside. Upon opening the door to the garage and turning on the light, they immediately saw the gun on top of the table and the suspect under the table. Therefore, it was not necessary to use the K-9, and they ordered the suspect out from under the table and to a prone position on the floor of the garage.

Witness [redacted] stated that he was standing in his front yard and observed the suspect shooting at unknown individuals. He recalled seeing the patrol car drive past his residence, eastbound, and stop. He then observed the suspect fire approximately four or five shots, while standing near the drive of [redacted] E. 63rd Street. Several people began to yell to the deputies and point out the suspect. The deputies began to chase the suspect and the suspect ran to [redacted] E. 63rd Street, jumped over the chain link fence, and began to run northbound, along the side of the house.

Witness [redacted] stated he was not able to see the suspect at this time, but as the deputy (Deputy [redacted] got to the fence the suspect fired two shots, which is in conflict with Deputy [redacted] recollection, and the Deputy fired one shot. He said he did not know if the two shots fired by the suspect were fired at the deputy, but assumed they were because the deputy fired his weapon right after that, in the direction of the suspect. Witness [redacted] stated that he is certain the suspect fired at the deputy before the deputy fired at him.

Witness [redacted] stated that she was having a family Bar-b-Que at her residence, [redacted] E. 63rd Street. She said that as family members, who had stayed late, were preparing to leave she heard gun shots being fired east of her residence. She went to the front of her residence and observed the patrol car drive just east of her residence and stop. She recalled the

deputies getting out of the car and then she heard several more gun shots. She saw the suspect with the gun run and jump over the fence at [redacted] E. 63rd Street. The deputies ran to the location and one of the deputies fired two shots at the suspect as the suspect ran, northbound, along the side of the house. Then the suspect fired one shot at the deputies, and the deputies went into the yard looking for the suspect. She said she went back into her residence and did not see anything else.

Witness [redacted] stated that she was inside of her residence at, [redacted] E. 63rd Street, when the shooting took place. She recalled looking out of her front window and observing several juveniles in the street and some running westbound toward Holmes Avenue. While still in her residence she observed the deputies drive past her residence and stop in the street. She heard more shooting and observed the suspect jump over the fence into her front yard. She stated that as the suspect was going over the fence he fired two shots, which is in conflict with Deputy [redacted] recollection, at one of the deputies, and the deputy fired one shot at him. She stated that the second deputy came up and both deputies went into her yard, and went down the west side of her house. She stated that a few minutes later the deputies came back to the front of her residence and joined the rest of the deputies that arrived on the street.

Suspect Garcia stated that he was attending a dance party on E. 63rd street. He stated that some of his friends got into a fight with some of the other people there. When the deputies arrived he was standing in the street with a lot of other people. He said a friend gave him the gun and told him to go hide it. He said he walked into the back yard at [redacted] E. 63rd Street and went into the garage to hide the gun. While he was in the garage the deputies came and arrested him. Suspect Garcia stated that he did not shoot at anyone and he did not shoot at any of the deputies. He also stated that he did not run from the deputies and was never chased by the deputies. He stated he was standing in front of [redacted] E. 63rd Street when he received the gun and just walked into the garage to hide it. Suspect Garcia stated that when he was arrested the deputies told him to lay on the floor and they handcuffed him. He stated he was not mistreated in any way.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 1

[redacted]

was interviewed on 11-07-93, at approximately 2300 hours by Sergeants Edward Allen and Jerry Greene of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # 2

[redacted]

was interviewed on 11-07-93, at approximately 2315 hours by Sergeants Edward Allen and Jerry Greene of the Internal Affairs Bureau. The interview was tape recorded.

WITNESS # 3

[redacted]

was interviewed on 11-07-93, at approximately 2330 hours by Sergeant Edward Allen of the Internal Affairs Bureau. The interview was not tape recorded.

WITNESS # 4

[redacted] #[redacted]

was interviewed on 11-08-93, at 0030 hours by Sergeants Edward Allen and Jerry Greene of the Internal Affairs Bureau. The interview was tape recorded. The person interviewed was given a copy of his AdministrativeRights: Yes [X] No [__]

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.